

EXHIBIT G

1
2 UNITED STATES DISTRICT COURT
3 SOUTHERN DISTRICT OF NEW YORK

4 -----X

5 NAULA NDUGGA, on behalf of herself
6 and similarly situated women,

7 Plaintiff,

8 - against -

9 BLOOMBERG L.P.,

10 Defendant.

11 CASE NO.: 20-cv-07464 (GHW) (GWG)

12 -----X

13 * * * C O N F I D E N T I A L * * *

14 Eleven Times Square
15 New York, New York

16 November 15, 2023
17 10:04 a.m.

18 VIDEOTAPED DEPOSITION of Plaintiff,
19 NAULA NDUGGA, before Melissa Gilmore, a
20 Stenographic Reporter and Notary Public of the
21 State of New York.
22
23
24
25

1 NDUGGA - CONFIDENTIAL

2 A. Yes, ma'am.

3 Q. Was that a paid position?

4 A. Yes, ma'am.

5 Q. And were you paid money for that, or
6 did you receive compensation in some other
7 form?

8 A. To the best of my recollection, we
9 were paid a salary, but there was also a
10 scholarship, like a residential dorm
11 scholarship.

12 Q. Prior to your internship at
13 Bloomberg L.P., is it correct that you had no
14 paid journalism experience?

15 A. Yes, ma'am.

16 Q. And the job -- the internship at
17 Bloomberg was your first job out of college; is
18 that correct?

19 A. Yes.

20 Q. Other than what you described to us
21 as a news reporter from August 2013 to May of
22 2015, did you have any other journalism
23 experience prior to becoming an intern at
24 Bloomberg?

25 A. Outside of my education, no.

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2 refresh your recollection?

3 A. I don't know. I'm not a hundred
4 percent sure. Probably seeing a list of names,
5 but I'm not a hundred percent sure.

6 Q. Do you have a list of names
7 somewhere?

8 A. I do not.

9 Q. Did you discuss your compensation
10 with anybody else that was part of your intern
11 group?

12 A. I believe so. I can't remember
13 exactly who it was. I believe it was a group
14 discussion of just what our offer packages
15 looked like.

16 Q. Who was in the group?

17 A. I do not recall.

18 Q. When you said a few minutes ago that
19 you don't remember discussing your compensation
20 with the people that I had listed, were none of
21 those people part of this group discussion?

22 A. To the best of my memory, I don't
23 know. I'm not a hundred percent sure. I can't
24 recall that.

25 Q. Can you recall anything about the

1 NDUGGA - CONFIDENTIAL

2 discussion?

3 A. I think it was just a matter of how
4 much or what the offer letters looked like and
5 what our teams looked like, but I don't exactly
6 recall, like, specifics.

7 Q. Well, tell me, do you remember any
8 specifics of what the offer packages looked
9 like?

10 A. I -- to the best of my understanding
11 and my recollection, I believe that it was
12 shared with me that those offers were higher
13 than what I was offered at that time.

14 Q. Whose offer was higher?

15 A. I don't recall specifically whose
16 offer was higher.

17 Q. What was the sex of the people whose
18 offers were higher?

19 A. I do not recall. To the best of my
20 recollection, this is -- it felt like a general
21 conversation. I do not recall whose offers
22 were higher and whose weren't. But I just know
23 that I was not receiving that.

24 Q. Your testimony here today is that,
25 based on the discussion among people who you

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2 can't remember and the specifics of which you
3 cannot recall, you believe that your
4 compensation was lower than some of the people
5 in the discussion; is that right?

6 MS. CLANCY: Objection to form.

7 Q. You can answer.

8 A. Okay. I -- what I am saying and
9 what I'm trying to express is this conversation
10 is one that I do not recall specifics from, but
11 I did get the understanding that my
12 compensation was lower than what was offered to
13 other people. As to who exactly those people
14 are and what those offers looked like, I cannot
15 speak to that because I do not recall.

16 Q. Were there people whose compensation
17 was lower than yours?

18 A. I do not recall. I don't believe
19 so, but I don't recall.

20 Q. Sitting here today, can you identify
21 any men who were -- received full-time offers
22 out of your internship program?

23 A. Not off the top of my head. Not at
24 this time.

25 Q. Do you know if any men did actually

1 NDUGGA - CONFIDENTIAL

2 receive full-time offers?

3 A. I don't know.

4 Q. Have you ever seen any records to
5 suggest that any of the male interns in your
6 intern class actually got an offer from
7 Bloomberg?

8 A. I have not seen any physical
9 documents.

10 Q. Well, whether they're physical
11 documents or electronic documents, have you
12 seen any documents which would suggest that any
13 male that was part of your intern class got a
14 full-time offer from Bloomberg?

15 A. To the best of my recollection, I
16 have not seen any documents.

17 Q. And, sitting here today, you cannot
18 tell me whether any male that was in your
19 internship class actually got a full-time
20 offer, correct?

21 A. No, ma'am, I do not recall that.

22 Q. Do you know whether any of the
23 females who got offers were paid more money
24 than you?

25 A. I do not recall if they were part of

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2 That's correct, that's an accurate
3 statement; is that right?

4 A. I believe so.

5 Q. And then you go on to say "which was
6 \$10,000 lower than the starting salary of male
7 producers who were hired out of the same
8 internship program."

9 Do you see that allegation?

10 A. Yes, I do.

11 Q. Which male producers who you claim
12 were hired out of the same internship program
13 were paid \$10,000 more than you?

14 A. I do not recall specific people. I
15 cannot name specific people at this time.

16 Q. Can you name anybody?

17 A. No, I cannot. Off the top of my
18 head, I do not recall any names at this time.

19 Q. At the time that you made this
20 allegation --

21 A. Uh-huh.

22 Q. -- were you thinking of somebody
23 specific?

24 MS. CLANCY: Objection to form.

25 A. I was thinking generally of my

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2 understanding that my salary was \$10,000
3 lower -- or my offer rate starting was \$10,000
4 lower than the conversations that I'd had. As
5 to who I had those conversations with, I do not
6 recall specific people or specific names at
7 this time.

8 Q. Or specific sexes; is that right?

9 A. Yes, ma'am.

10 MS. BLOOM: Can you mark that as
11 Exhibit 6?

12 (Ndugga Exhibit 6, E-Mail, Bates
13 Stamped NDUGGA00013214, marked for
14 identification.)

15 Q. You've just been handed a copy of a
16 document that's been marked as Ndugga Exhibit
17 Number 6.

18 Do you recognize this as a copy of
19 an e-mail that you wrote?

20 A. To the best of my knowledge, yes.

21 Q. And is that your Gmail address?

22 A. Yes, it is.

23 Q. And who did you write this e-mail
24 to?

25 A. It says to Mindy Massucci.

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2 A. Yes.

3 Q. And you received \$65,000, correct?

4 A. Well, I -- from my understanding,
5 what I'm taking away from this is that this is
6 per hour.

7 Q. 60 or \$70 an hour?

8 A. Yes, ma'am.

9 Q. Not \$65,000 a year?

10 A. I believe that's probably what I
11 meant.

12 Q. When you were offered a full-time
13 position, it was for \$65,000 a year; is that
14 right?

15 A. Yes, it was.

16 Q. And in between the time that you
17 were working as an intern and the time that you
18 were hired full-time, you had a contractor
19 position, correct?

20 A. Yes.

21 Q. And what were you paid in that
22 contractor position?

23 A. I do not recall specifically --

24 Q. And when --

25 A. -- what I was paid per hour.

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2 becoming hired as a full-time employee, she was
3 paid an annual salary of \$65,000."

4 A. Yes.

5 Q. That's your allegation, correct?

6 A. Yes.

7 Q. And that's what is reflected in your
8 offer letter, correct?

9 A. Yes.

10 Q. And then you say -- you refer to
11 "male producers who were hired out of the same
12 internship program as Ms. Ndugga who were paid
13 a starting salary of \$75,000, a \$10,000
14 difference."

15 Who are those male producers that
16 you're referring to?

17 A. As I mentioned before, I do not
18 recall. I cannot give you specific names at
19 this time.

20 Q. At the time that you made this
21 allegation, did you have information as to who
22 these alleged male producers were?

23 A. As I've mentioned before, I do not
24 recall specific names, but I do know that there
25 was a 10,000 difference between my salary and

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2 what I started at and what my understanding was
3 of other people's salaries.

4 Q. But when you talk about other
5 people, you can't tell us whether those were
6 men or women; is that right?

7 A. As I've mentioned before, I do not
8 recall.

9 Q. So you cannot tell us whether they
10 were men or women, correct?

11 A. As I've mentioned before, this was a
12 general conversation I was having with people.
13 I cannot give you specifics at this time.

14 Q. I understand that. So you -- I just
15 want to make sure I understand your answer,
16 though.

17 When you say you cannot give me
18 specifics, you cannot give me specifics as to
19 whether -- whether it was men or women or both
20 who you're claiming were paid \$10,000 more than
21 you.

22 A. My assumption is that it was both.
23 I -- but as I've said before, I do not recall.

24 Q. Was there anybody in your internship
25 class that you believe was hired a full-time

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2 Q. -- correct?

3 A. As of that time.

4 Q. Okay. Can you look at page 18 of
5 Exhibit 5, paragraph 62, and let me know when
6 you have that in front of you?

7 A. I have that in front of me.

8 Q. Great. Okay. So paragraph 62, you
9 refer to various male team members; is that
10 right?

11 A. Yes, I do.

12 Q. The first person that you talk about
13 is David Meyers.

14 What was his position during the
15 time that you worked at Bloomberg?

16 A. I believe it was executive producer.

17 Q. What, if anything, can you tell me
18 about Mr. Meyers' professional work experience?

19 A. I don't know. I can't speak to that
20 specifically. I don't have access to his
21 resume.

22 Q. Do you know how long he has worked
23 in the media industry?

24 A. No, I do not.

25 Q. If I told you that he had worked in

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2 the media industry since January of 2015, you
3 would have no basis for disputing that,
4 correct?

5 A. No.

6 Q. The next person in paragraph 62 is
7 Will Shaker.

8 What was his title?

9 A. He was a producer, I believe.

10 Q. And what can you tell me about
11 Mr. Shaker's work history prior to Bloomberg?

12 A. I do not have his resume. I can't
13 speak to what he did prior to that.

14 Q. Do you know anything about his work
15 history prior to Bloomberg?

16 A. Not that I can recall at this time.

17 Q. Do you know whether or not his
18 position at Bloomberg was the first job that he
19 had out of college?

20 A. Again, I can't speak to it. I don't
21 have access to his resume.

22 Q. And was he a producer or a senior
23 producer?

24 A. I believe he was a producer.

25 Q. Andrew Mach, what was his job?

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2 A. A social curator.

3 Q. What is a social curator?

4 A. They work adjacent to the producers
5 to disseminate our stories on social.

6 Q. Do you know whether Will Shaker had
7 spent three years at CBS News before joining
8 Bloomberg?

9 A. I cannot speak to his resume. I
10 don't have access to it.

11 Q. Okay. With regard to Mr. Mach, what
12 can you tell me about his professional
13 experience before he came to Bloomberg?

14 A. Again, I don't have access to his
15 resume. I cannot speak to it.

16 Q. If I told you that he's worked in
17 the media industry since April of 2009, you
18 have no basis for disputing that; is that
19 right?

20 A. Again, I do not have access to his
21 resume. I cannot speak to it.

22 Q. Angelo Spagnolo, what was his
23 position?

24 A. Social curator.

25 Q. What can you tell me about his

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2 professional experience before joining
3 Bloomberg?

4 A. Again, I don't have access to his
5 resume. I can't speak to it.

6 Q. Do you know how long he had been in
7 the media industry before joining Bloomberg?

8 A. I do not have access to his resume,
9 and I can't speak to it.

10 Q. Brian Wall, what was his position?

11 A. Brian was a producer.

12 Q. What can you tell me about Brian's
13 experience prior to joining Bloomberg?

14 A. I do not have access to his resume.
15 I can't speak to it.

16 Q. Do you know how many years he had
17 worked in media prior to joining Bloomberg?

18 A. I don't have access to his resume,
19 and I can't speak to it.

20 Q. Do you know if he worked for CBS
21 News before joining Bloomberg?

22 A. I cannot speak to it.

23 Q. Henry Seltzer, what was his
24 experience -- well, first of all, what was his
25 job at Bloomberg?

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2 A. I do not know his specific title.

3 Q. What was his experience before
4 joining Bloomberg?

5 A. I don't have his resume. I can't
6 speak to it.

7 Q. And without his resume, you have no
8 knowledge one way or another as to how much
9 experience he had in the industry before
10 Bloomberg, correct?

11 A. I cannot speak to specifics of what
12 his experience was.

13 Q. Do you know if he had any experience
14 in the industry before joining Bloomberg?

15 A. I do not know.

16 Q. Alexander Gittleson, what was his
17 position?

18 A. I don't know his specific title.

19 Q. And what was his experience before
20 joining Bloomberg?

21 A. Again, I don't have access to his
22 resume. I can't speak to it.

23 Q. Would the same be true for each of
24 the other individuals that is listed in
25 paragraph 6?

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2 And when I say "the same be true,"
3 that you have no knowledge one way or another
4 as to their professional experience before
5 joining Bloomberg.

6 A. As I've said, I do not have access
7 to their resumes, so I cannot speak to that.

8 Q. Well, regardless of whether you have
9 access to their resumes or not, do you have any
10 personal knowledge as to the prior work
11 experience of any of the individuals listed in
12 paragraph 62?

13 A. I cannot recall at this time. I'm
14 sure I have had conversations with them about
15 their experiences, but I cannot recall
16 specifics at this time.

17 Q. Do you have any documents which
18 would refresh your recollection?

19 A. Not that I can think of at this
20 time.

21 Q. And so, if their resumes reflected
22 prior media experience before joining
23 Bloomberg, you have no basis for disputing
24 that, correct?

25 MS. CLANCY: Objection to form.

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2 You can answer.

3 A. Would -- I don't understand the
4 question. Would you mind rephrasing it?

5 Q. Absolutely. If you were shown
6 resumes for each of these people --

7 A. Uh-huh.

8 Q. -- you have no basis for disputing
9 the content -- the truth of the content on
10 those resumes, correct?

11 MS. CLANCY: Objection, form.

12 A. I can't speak to any -- to what they
13 present.

14 Q. But you have no independent personal
15 knowledge as to the professional work
16 experience of any of the individuals in
17 paragraph 62, correct?

18 A. Again, as I've mentioned, I'm sure
19 I've had personal conversations with them.
20 I've had conversations with them at one point
21 or another about their experiences. But as to
22 what they put on their resume, I can't speak to
23 that.

24 Q. As to their personal experience,
25 sitting here today, can you tell me about the

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2 personal professional experience of any of the
3 people in paragraph 62?

4 And I mean their professional
5 experience before coming to Bloomberg.

6 A. Again, as I've mentioned, I do not
7 recall specifics. I'm sure I have had
8 conversations with many of the men listed on
9 this -- on this document about their personal
10 and professional -- professional experience
11 specifically, but I do not recall at this time
12 and I can't speak to it.

13 Q. Do you know if any of the
14 individuals that are listed in paragraph 62 --
15 if, for any of those individuals, the job at
16 Bloomberg was their first job out of college?

17 A. I can't speak to that.

18 Q. Now, you've made a claim in this
19 case for sex discrimination; is that correct?

20 A. Yes, ma'am.

21 Q. Can you tell me the facts upon which
22 you base your allegation that you were
23 discriminated against because of your sex while
24 at Bloomberg?

25 A. Would you mind rephrasing the

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2 A. Again, off the top of my head in
3 this moment, I cannot remember any specifics,
4 but I'm happy to go through this document if
5 that would be helpful to this response.

6 Q. Well, let's start with this. So,
7 sitting here today, other than your pay, you
8 can't tell me any other ways in which you claim
9 you were discriminated against because of your
10 sex; is that right?

11 A. I am saying that I cannot recall
12 specifics in this moment.

13 Q. And did anyone ever make a comment
14 to you -- and your sex is female; is that
15 right?

16 A. Yes, ma'am.

17 Q. Did anybody ever make a comment to
18 you while you were at Bloomberg that you
19 believed was discriminatory because of your
20 sex?

21 A. Yes, I do believe so. But, again, I
22 cannot recall specifics at this time.

23 Q. Can you recall any specific as to
24 any comment that was made to you that you
25 believe was derogatory to you because of your

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2 sex while at Bloomberg?

3 A. Again, I cannot recall specifics at
4 this time.

5 Q. So nothing. You can't tell me one
6 comment.

7 Is that your testimony?

8 A. I am saying that I do not recall at
9 this time. Yes, there were plenty of comments,
10 I'm sure. But, again, I do not recall at this
11 time.

12 Q. Do you have any documents or other
13 records that would refresh your recollection as
14 to comments that you claim were made to you
15 that were derogatory because of your sex while
16 you worked at Bloomberg?

17 A. I'm sure my complaint has several of
18 it.

19 Q. And other than your complaint, do
20 you have any other documents which would
21 refresh your recollection as to comments that
22 you believe were derogatory about your sex and
23 that were made to you while you were employed
24 at Bloomberg?

25 A. I'm sure that there are other

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2 A. That I can remember at this time.

3 Q. When you say "at this time," does
4 that mean in this minute?

5 A. Yes, in this very minute, in this
6 moment.

7 Q. Did you have a greater recollection
8 of any of this yesterday?

9 MS. CLANCY: Objection.

10 A. I was not being faced with these
11 questions yesterday.

12 Q. So you said that, from looking at
13 your complaint, that this might refresh your
14 recollection as to your claims in this case.

15 So I'd like you to take a look at
16 Exhibit 5, and I'd like you to tell me if, from
17 looking at Exhibit 5, there's any other ways in
18 which you claim you were discriminated against
19 because of your sex other than your pay.

20 A. (Document review.) I'm sorry. Is
21 this on page --

22 Q. I'm not on any particular page.

23 A. Okay.

24 Q. This is your complaint. And my
25 question is about your claim of sex

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2 discrimination.

3 And my recollection is that you told
4 me earlier that if you looked at your complaint
5 that might refresh your memory as to any of the
6 facts that support your claim that you've been
7 discriminated against because of your sex
8 besides your pay.

9 A. Well --

10 Q. So now I'm asking you to look at it
11 and tell me.

12 A. -- I think, one, it's important to
13 note that I am a Black woman and that I
14 experience life on an intersection. Everything
15 that happens to me is because I am a Black
16 woman. It's not because I am either Black or a
17 woman. Those identities are never separate for
18 me.

19 That's how I experience the world
20 and that's how the world experiences me. When
21 I am saying that these things are happening to
22 me, I know it's not isolated because I am just
23 Black or just because I am a woman. It's
24 happening on an intersection of my identity.

25 Q. Okay. So are you claiming in this

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2 case that you're discriminated against because
3 you're a woman, or are you claiming that you're
4 discriminated against because you're a Black
5 woman?

6 MS. CLANCY: Objection, calls for a
7 legal conclusion.

8 You can answer.

9 A. Again, I experience life on an
10 intersection. I am both a woman and a Black
11 person.

12 Q. Okay. So if you could look at your
13 complaint. And these are your factual
14 allegations.

15 A. Yes.

16 Q. If you can tell me if -- from
17 looking at your complaint, if this refreshes
18 your recollection as to any ways other than
19 your pay that you believe you were
20 discriminated against because you are a --
21 because you are a female?

22 MS. CLANCY: Objection.

23 So it's about 41 pages, so take your
24 time to look through if you'd like.

25 MS. BLOOM: Sure. I mean, she told

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2 me that she reviewed this in preparing for
3 her deposition and that this was the only
4 thing that -- the only document that she
5 remembered reviewing. But --

6 MS. CLANCY: That's not correct
7 testimony.

8 MS. BLOOM: Well, we could read it
9 back if we need to. But at this time,
10 this is her complaint, so I'm asking her
11 about her claims.

12 A. (Document review.)

13 Well, again, just from briefly
14 looking over it, I think that I've spoken to
15 without going into all of these specific
16 details. I'm happy to go through it if you
17 want, line by line, if that is -- would better
18 answer your questions.

19 But, again, I think it has to do
20 with pay. It has to do with the opportunities
21 that I was given. It has to do with the
22 stories that were being covered. It has to do
23 with how the stories were being covered. It
24 has to do with how people were being treated
25 day-to-day.

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2 And I think that also seeing that
3 compared to specifically White male
4 counterparts, they were being treated better.
5 They did not have the same obstacles that I
6 did. They did not have to face the same
7 challenges that I did. They did not have to
8 face any of that.

9 I think -- and, again, going back to
10 I am both Black and a woman. I experience life
11 on an intersection. All of these things are
12 happening on an intersection. They're not
13 happening because I am either/or. It's because
14 this is who I am.

15 Q. Okay. We talked about pay, and we
16 talked about covering stories and how stories
17 are covered; is that right?

18 A. Yes, ma'am.

19 Q. Okay. You mentioned opportunities.

20 A. Yes.

21 Q. What opportunity or opportunities
22 are you claiming that you should have been
23 given but were not given because of your sex?

24 A. Whether it was promotions,
25 opportunities to kind of branch out, whether it

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2 other seniors of the team and be able to
3 interact with them more and not be limited
4 in --

5 Q. And who were the other seniors?

6 A. I know AP came on to our day shift.
7 I think he was kind of the major shift. He
8 came on to the day shift.

9 Q. Did you get assignments from Claire?

10 A. Initially before she went on
11 maternity leave, she would also help give
12 assignments out. But I think, for the most
13 part, David was responsible for that.

14 Q. So any of the assignments that you
15 had in this first period of time are
16 assignments that were given to you by David; is
17 that correct?

18 A. From what I can remember, most of
19 those assignments were coming from David. I'm
20 sure there were probably other people who may
21 have given out assignments. But, from what I
22 can recall at this time, they were mostly
23 coming from David.

24 Q. Okay. If you can look at
25 paragraph 34, please.

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2 Can you tell me who the male
3 reporters or editors are that are referenced in
4 paragraph 34?

5 A. At this time I cannot speak to that
6 specifically.

7 Q. Can you tell me who the female new
8 hires are that are referenced in paragraph 34?

9 A. At this time I can't speak to that
10 specifically.

11 Q. Can you tell me how you know that
12 the editorial management committee often agrees
13 to offer more money to male reporters or
14 editors seeking a better salary but declines to
15 do so for female new hires?

16 A. To the best of my recollection, from
17 conversations we would have as a team, as
18 teammates, I can't speak to specifically who it
19 is or recall who it is at this time. But there
20 was a general understanding that the women who
21 were coming in, the women who were on the team,
22 were all making less than what the men were.

23 Q. Who were the people that you were
24 having these conversations with?

25 A. As I mentioned before, I cannot

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2 recall specific people at this time. I just
3 know that those were conversations that were
4 ongoing across the team.

5 Q. Do you have any evidence which would
6 show that women were making less than men?

7 A. Again, I'm referencing to
8 conversations that were ongoing at the time. I
9 don't have any specifics that I can give at
10 this time.

11 Q. So if we went to trial and you were
12 going to recreate that, how would you recreate
13 the allegation in paragraph 34 that "The
14 editorial management committee often agrees to
15 offer more money to male reporters or editors
16 seeking a better salary but declines to do so
17 for female new hires"?

18 MS. CLANCY: Objection, calls for a
19 legal conclusion.

20 MS. BLOOM: No, it doesn't. It
21 calls for facts.

22 MS. CLANCY: You can ask the facts.
23 But how would she put together something
24 at trial by her attorneys?

25 MS. BLOOM: I didn't say a word

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2 about the attorneys.

3 MS. CLANCY: Exactly.

4 MS. BLOOM: I would ask --

5 MS. CLANCY: But it implies.

6 MS. BLOOM: -- you to stop coaching
7 her. You want to --

8 MS. CLANCY: You asked --

9 MS. BLOOM: -- object to the form of
10 the question, do it.

11 MS. CLANCY: -- me a question. You
12 conferred with me in the conversation, and
13 I responded.

14 BY MS. BLOOM:

15 Q. You can answer the question.

16 MS. CLANCY: My objection is noted.

17 A. Again, as I mentioned, this was an
18 ongoing conversation. It was not just me.
19 This was a conversation going on across the
20 newsroom. It was not limited to me. It was
21 not limited to Quicktack. I'm sure that there
22 are people who would be more than happy to
23 speak to that themselves.

24 But, as I've mentioned, at this
25 time, I cannot recall who those people are and

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2 I can -- the specifics of those conversations.
3 But there was the general understanding across
4 the team, across our news department that men
5 were making more than women were.

6 Q. But, sitting here today, you can't
7 tell me the name of a single man or the name of
8 a single woman.

9 Is that your testimony?

10 A. Today, to the best of my
11 recollection, I cannot do that. If I do
12 remember anything, I will be sure to -- and
13 more than happy to share it.

14 Q. And how would you go about
15 reconstructing, though, who those men and women
16 are?

17 A. I don't --

18 MS. CLANCY: Objection. That's
19 totally improper.

20 MS. BLOOM: No, it's not. You
21 can --

22 MS. CLANCY: How would she
23 reconstruct --

24 MS. BLOOM: You can object to the
25 form of the question.

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2 Q. You can answer the question.

3 MS. CLANCY: Well, I will continue
4 my objections. If she's able to answer.

5 A. I don't think that it's a matter of
6 reconstructing. I don't have to reconstruct
7 anything. It did happen. That was what was
8 going on. Those were the conversations that
9 were happening in the newsroom. I don't have
10 to reconstruct anything.

11 I think it's a matter of whether --
12 finding out who these people are. I told
13 you -- I've already said that, to the best of
14 my recollection, I cannot recall these
15 specifics at this time. But if I do, I will be
16 more than happy to share that.

17 Q. Well, how are you going to go about
18 finding out who these women are, for example?

19 MS. CLANCY: Objection.

20 A. Well, I think that memories come and
21 go. I think that, in this moment, in this
22 minute, I may not remember, but I could
23 remember down the line. And at that point I
24 will be more than happy to share with you who
25 those people are if it does come back to me.

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2 Q. If I wanted to figure out who those
3 people are, what would you suggest I do?

4 MS. CLANCY: Objection.

5 A. Well, I think that that is maybe
6 something for you to take on and have those
7 conversations with the women who are at
8 Bloomberg.

9 Q. If you look at paragraph 35, you
10 allege that "Male reporters are frequently
11 hired at salaries that are \$20,000 or more
12 above the salary of their female peers."

13 Do you see that allegation?

14 A. Yes, I do.

15 Q. What is the basis for that
16 allegation?

17 A. Again, as I just said, these are
18 conversations that were ongoing. Employees, as
19 people, as co-workers, we have these
20 conversations together all the time. These
21 were conversations that were ongoing if people
22 shared their salaries and came to the
23 understanding that they are making more or
24 making less than others.

25 And, as I've said before, I cannot

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2 speak to those specifics right now. I do not
3 recall those specific people or those specific
4 times, but those are conversations that were
5 ongoing and may still be ongoing at this point.

6 Q. When you reviewed -- when you --
7 when the complaint was filed, publicly filed on
8 your behalf, what information did you have to
9 support the allegation in paragraph 35 of your
10 complaint?

11 A. I would defer to my attorney on
12 that.

13 Q. Did you know the identity of these
14 male reporters that are referenced in
15 paragraph 35 of the complaint at the time that
16 you filed this?

17 A. I would defer to my attorney on
18 that.

19 Q. I'm asking if you knew, not if your
20 attorney knew.

21 A. Well --

22 Q. This is your complaint.

23 A. -- I understand that. This
24 complaint was filed almost three years ago at
25 this point.

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2 Q. At the time you filed it, did you
3 know the identity of the male reporters
4 referenced in paragraph 35?

5 A. To the best of my recollection, I --
6 no names are coming to my mind at this time.

7 Q. That's not my question. My question
8 is whether you knew those names when you filed
9 the complaint.

10 A. If I had that conversation with my
11 attorney, I will have shared all of the
12 information that I had as to what exactly that
13 is. I haven't reviewed that information or
14 those specifics in a while, so I can't speak to
15 that at this time.

16 Q. Okay. And if you had that
17 information, would it be fair to assume that
18 you would have produced that information in
19 discovery?

20 MS. CLANCY: Objection.

21 A. Again, as I've mentioned, I have
22 given all the information that I have.

23 Q. To your attorneys. That's your
24 testimony?

25 A. Yes, ma'am.

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2 A. I don't think anyone specifically
3 told me that, to the best of my recollection.

4 Q. Are you aware of Bloomberg relying
5 on any individual's prior salary in setting
6 that individual starting pay?

7 A. Not that I can recall or speak to at
8 this time.

9 Q. Have you ever seen any policy which
10 provided that Bloomberg relied on prior
11 compensation in setting starting pay?

12 A. Not that I can recall or speak to at
13 this time.

14 Q. When you say "not that I can recall
15 or speak to at this time," do you have any
16 recollection of ever seeing a policy like that?

17 A. Again, not that I recall or can
18 speak to at this time. I unfortunately cannot
19 remember every single thing that I've seen or
20 been told or has been shared with me.

21 Q. So if I wanted to find out if that
22 was true, that allegation was true, what do you
23 suggest I do?

24 MS. CLANCY: Objection.

25 Elise, that's really inappropriate.

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2 MS. BLOOM: She can answer or not.

3 MS. CLANCY: You're an attorney. I
4 mean, this is inappropriate for a fact
5 witness here.

6 MS. BLOOM: I don't think so, and
7 she can answer the question.

8 A. I don't know what I would suggest to
9 you.

10 Q. If you were going to -- if you were
11 going to reeducate yourself about your specific
12 allegation that "Defendant's common policies
13 included its reliance on prior salary in
14 setting starting pay," how would you go about
15 reeducating yourself?

16 A. I would do my very best to remember
17 and to share with you.

18 Q. Would you look at any documents?

19 A. I can't think of anything
20 specifically at this time.

21 Q. So what you would do is do your very
22 best to try to remember, but not look at any
23 specific documents.

24 Is that what you're saying?

25 MS. CLANCY: Objection. Objection.

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2 Q. You can answer.

3 A. I think that the implication of what
4 you are asking me is that I would make
5 something up. And that is something I would
6 never do.

7 Q. No, actually, that's not my
8 implication. I'm just trying to understand
9 what you would do. And if you took that as my
10 implication, that absolutely was not my
11 implication. I wasn't implying that at all.

12 I'm just trying to make sure that I
13 understand what you would do to kind of -- to
14 reeducate yourself about a very specific
15 allegation that's in your complaint.

16 A. And, as I mentioned before, I, at
17 this time, cannot in this moment, in this
18 minute, recall specific documents. But I would
19 do my very best to do so.

20 Q. And where would you look for those
21 documents?

22 MS. CLANCY: Objection.

23 A. I don't know. I think that I would
24 just do my best to look for it or try and find
25 it, whether it's in the complaint or whatever

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2 else. I do not have specifics at this time, in
3 this very minute. I cannot speak to specifics
4 of that.

5 Q. And where did you get that
6 information from in putting the complaint
7 together and providing the facts that form the
8 basis for your complaint?

9 MS. CLANCY: Objection to the extent
10 that it calls for any attorney/client
11 privileged communications.

12 A. So I would defer to my attorney on
13 that.

14 Q. So you're saying you didn't have any
15 independent facts other than what you talked
16 about with your attorney?

17 A. I --

18 MS. CLANCY: Objection, misleading.

19 A. I didn't say that. I said that I
20 would defer to my attorney for her help on
21 what -- how -- where that came from and the
22 conversations that we had.

23 Q. Okay. I'm not asking about the
24 conversations that you had with your attorney.

25 But what I am asking you is where

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2 the information came from that forms the basis
3 for that allegation in your complaint.

4 A. I think that I --

5 MS. CLANCY: Objection to the extent
6 that it calls for any attorney/client
7 communications to respond to that
8 question.

9 So if you can answer it without
10 revealing any conversations, then go
11 ahead.

12 A. I think that I've already shared and
13 answered the question that I do not recall any
14 specifics at this time.

15 Q. Okay. If you can look at page 18,
16 paragraph 67 -- I'm sorry. Let's look at
17 paragraph 63 first, please.

18 What promotions do you claim were
19 you overlooked for?

20 A. I believe I was overlooked for
21 senior producer promotions, specifically right
22 before I took my short-term leave and when I
23 returned. I believe I'd had a conversation
24 with Mindy about outlining a role that would be
25 more focused on culture, identity and race and

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2 Q. By anybody else?

3 A. I cannot specifically speak to any
4 other conversations at this time.

5 Q. Did you ever talk to Mr. Wall about
6 his background?

7 A. Not that I can recall at this time.

8 MS. BLOOM: Can we mark this,
9 please?

10 (Ndugga Exhibit 13, E-Mail, Bates
11 Stamped BLP_Syeed_0008267, marked for
12 identification.)

13 Q. I just handed you a copy of a
14 document that's been marked as Exhibit 13. Let
15 me know when you've had an opportunity to
16 review that.

17 A. (Document review.) I've reviewed
18 it.

19 Q. If you look at the bottom of the
20 page, it looks like you were sending a draft of
21 an e-mail to AP and asking him to take a look
22 at it; is that right?

23 A. Yes.

24 Q. And in the draft, you're talking
25 about the rationale behind the new beat

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2 you.

3 THE VIDEOGRAPHER: Agreement?

4 MS. BLOOM: It's fine.

5 THE VIDEOGRAPHER: The time on the
6 video monitor is 5:05 p.m. We are off the
7 record. This end media 4.

8 (Recess taken.)

9 THE VIDEOGRAPHER: We are back on
10 the record. The time on the video monitor
11 is 5:27 p.m. This start media 5.

12 Q. You never participated in the
13 rotator program, correct?

14 A. No, I did not.

15 Q. Do you know what the rotator program
16 is?

17 A. Yes, I do.

18 Q. What is it?

19 A. It is a program that has people
20 rotate on different teams.

21 Q. Can you look at paragraph 44 of your
22 complaint which is Exhibit 5?

23 A. (Document review.)

24 Q. And if you could read the paragraph
25 and let me know after you've had an opportunity

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2 Q. But you don't have any evidence of
3 that, correct?

4 A. Not that I can speak to at this
5 time.

6 Q. Do you have any documents which
7 would support that?

8 A. Not that I can speak to at this
9 time.

10 Q. Do you have any -- are you aware of
11 any individual whose ratings were manipulated
12 by the editorial management committee?

13 A. I think that there was more so the
14 general understanding. As I mentioned, this
15 came up generally in a conversation with
16 Angela, who used to work at Bloomberg as -- in
17 HR.

18 Q. Well, which employees?

19 A. I cannot speak to individuals at
20 this time.

21 Q. Do you have any evidence of
22 somebody's rating actually being manipulated by
23 the editorial management committee?

24 MS. CLANCY: Objection.

25 A. As mentioned, I cannot speak to that

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2 at this time. I do not have the specifics at
3 this time.

4 Q. When you say you don't have the
5 specifics at this time, do you have any
6 documents or facts which would support the
7 allegation in paragraph 44 of your complaint?

8 A. Not that I'm aware --

9 MS. CLANCY: Objection. Asked and
10 answered.

11 A. Not that I'm aware of at this time.

12 Q. Well, how about that you were aware
13 of at any time?

14 A. As I mentioned before, this
15 knowledge came to me via Angela while we were
16 having a conversation about our experiences at
17 Bloomberg as Black women. And she shared that
18 she is aware, as an HR representative, of Black
19 women's numbers being manipulated or lower than
20 what the average person was at Bloomberg.

21 Q. So you're basing your allegation in
22 paragraph 44 on what you say Angela Wiley said
23 to you?

24 A. Yes.

25 Q. Has anybody ever specifically told

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2 you that they believe that their rating was
3 reduced?

4 A. Not that I can recall at this time.

5 Q. Do you have any documents which
6 would refresh your memory on that?

7 A. Not that I can think of at this
8 time.

9 Q. The allegation in paragraph 44
10 refers to draft evaluations for reporters,
11 producers and editors; is that correct?

12 A. Yes.

13 Q. And the allegation is that team
14 leaders prepare draft evaluations for
15 reporters, producers and editors, and those
16 drafts are submitted to the bureau chief. And
17 then the bureau chief forwards the ratings to
18 the EMC; is that right?

19 A. Yes.

20 Q. And then the EMC makes changes in
21 those ratings.

22 That's the allegation?

23 A. Yes.

24 Q. And that apply -- and -- okay.

25 But you have no specifics, correct?

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2 A. Not at this time.

3 Q. And you have no documents which
4 would provide specifics or refresh your
5 recollection, correct?

6 A. Not that I can think of at this
7 time.

8 Q. When you say, "Not that I can think
9 of at this time," when I ask you if you have
10 any documents, do you have documents somewhere
11 that you would use to refresh your recollection
12 about any of these allegations?

13 MS. CLANCY: Objection.

14 A. What I mean by that is, in this
15 minute, as you're asking me this question, I
16 cannot immediately think of a specific
17 document. But if I am to think of anything,
18 I'll be more than happy to share that with you.

19 Q. If you could look at paragraph 110.
20 Let me know when you've had a chance to review
21 it.

22 A. (Document review.) I've reviewed
23 it.

24 Q. Who are the Black and Brown
25 teammates that you claim resigned?

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2 made up that group that had this understanding?

3 A. Black people at Bloomberg.

4 Q. What are their names?

5 A. Again, as I've mentioned before, I
6 cannot give you specific names. I do not
7 remember every single name. The names that I
8 have recalled, I have shared with you. And if
9 I remember any other names, I will be sure to
10 share them at that point.

11 Q. Do you have any documents that would
12 refresh your recollection as to the names?

13 A. If I were to see the documents that
14 show people quitting or people's end dates, I'm
15 sure that would jog my memory.

16 Q. Do you have any such documents?

17 A. Not that I can recall.

18 Q. Now, in paragraph 111, you refer to
19 a White colleague on your team that received a
20 \$40,000 raise.

21 A. Yes.

22 Q. Who's the White colleague?

23 A. Madison Mills.

24 Q. So a female?

25 A. Yes, a White woman.

C E R T I F I C A T E

STATE OF NEW YORK)

: ss

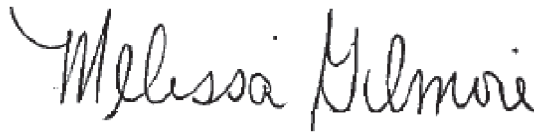
COUNTY OF RICHMOND)

I, MELISSA GILMORE, a Notary Public
within and for the State of New York, do hereby
certify:

That NAULA NDUGGA, the witness whose
deposition is hereinbefore set forth, was duly
placed under oath by me and that such
deposition is a true record of the testimony
given by such witness.

I further certify that I am not
related to any of the parties to this action by
blood or marriage; and that I am in no way
interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto
set my hand this 1st day of December, 2023.



MELISSA GILMORE